

February 2, 2009

TO: Sean Dannen, Field Representative  
Washington Federation of State Employees (WFSE)

FROM: Teresa Parsons  
Director's Review Program Supervisor

SUBJECT: Valerie Bravo v. Department of Social & Health Services (DSHS)  
Allocation Review Request ALLO-07-122

On November 13, 2008, I conducted a Director's review conference at the Department of Personnel, 2828 Capitol Boulevard, Olympia, Washington, concerning the allocation of Ms. Bravo's position. Present at the Director's review conference were you and Ms. Bravo, as well as Bob Swanson, Human Resources Consultant, representing DSHS.

### **Director's Determination**

This position review was based on the work performed for the six-month period prior to September 12, 2007, the date Ms. Bravo's updated Position Description Form was initially submitted regarding her position (#KQ57). As the Director's designee, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review conference, and the verbal comments provided by both parties. Based on my review and analysis of Ms. Bravo's assigned duties and responsibilities, I conclude her position is properly allocated to the Dental Assistant 2 classification.

### **Background**

On September 12, 2007, the Classification and Compensation Unit received an updated Position Description Form (PDF) for Ms. Bravo's position (#KQ57). The PDF had not been signed (Exhibit B-2). On September 19, 2007, Western State Hospital's Human Resources Department received a subsequent PDF requesting Ms. Bravo's position be reallocated from a Dental Assistant 2 to the Dental Clinic Supervisor 1 classification (Exhibit B-7). On September 22, 2007, the Human Resources Office received a third PDF updating and requesting reallocation of Ms. Bravo's position (Exhibit C-5). On November 20, 2007, Western State Hospital's Human Resources Department received a Position Review Request (PRR) requesting reallocation (Exhibit B-1). During the Director's review conference, Ms. Bravo indicated that she and her supervisor, Danny Moulding, DDS, were unclear about the process for requesting reallocation, which resulted in the number of PDFs and the PRR being submitted.

By letter dated November 26, 2007, Classification & Compensation Manager Pamela Pelton informed Ms. Bravo her position was properly allocated as a Dental Assistant 2. Specifically, Ms. Pelton determined Ms. Bravo's position had not been designated by management as a supervisor over unit professional staff (Exhibit B-4).

On December 6, 2007, Ms. Bravo requested a Director's review of DSHS's allocation determination.

### **Summary of Ms. Bravo's Perspective**

Ms. Bravo asserts she supervises staff and coordinates dental clinic patient care activities and related training. Ms. Bravo states she has responsibility for all of the dental care scheduling and coordination of appointments and direct supervision over students from Bryman Dental Assisting working in Western State Hospital's (WSH's) dental clinic. Ms. Bravo contends she trains hospital staff regarding patient oral care and dental services and states she creates her own lesson plans and sets up oral care cabinets used on the wards. Ms. Bravo also states that she teaches dental care at the elementary school for the Child Study Treatment Program associated with WSH. Ms. Bravo asserts she handles the clinic's electronic payroll, coordinates leave with the dental schedule, coordinates required training, assists with performance evaluations, and recommends any disciplinary actions. In addition, Ms. Bravo asserts she establishes work schedules, maintains clinic records and inventories, and assists with ongoing policy updates for the clinic. Ms. Bravo contends her position is unique and believes the Dental Clinic Supervisor 1 classification best describes her duties and responsibilities.

### **Summary of DSHS's Reasoning**

DSHS acknowledges the work Ms. Bravo performs is extremely valuable to the dental clinic and WSH but contends her position has not been assigned supervisory responsibilities. Instead, DSHS asserts the duties and responsibilities assigned to Ms. Bravo's position are more in line with a lead position. DSHS asserts Ms. Bravo's working title of Dental Clinic Supervisor does not meet the definition of a supervisor as intended by the state's classification plan. DSHS contends Ms. Bravo's duties associated with the operation of the clinic, such as scheduling, ordering supplies, maintaining records, and coordinating and assisting with trainings and orientations fit within the scope of the Dental Assistant 2 classification.

### **Rationale for Director's Determination**

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. Little-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

I reviewed all of the documents describing the duties assigned to Ms. Bravo's position. The multiple PDFs and the PRR describe the scope of work assigned to Ms. Bravo's position as follows:

- Coordinates and schedules appointments for the clinic, including patients, dental and hospital staff, family members, guardians, and dental hygiene students;
- Assists the dentist at chair side when needed;
- Orders dental and office equipment and supplies;
- Coordinates repairs with dental companies;
- Completes monthly and quarterly reports;
- Maintains dental clinic records and performs clerical work as needed;
- Coordinates dental staff education updates, staff meetings and other clinic and hospital meetings, and trainings;
- Assists with dental policy revisions and updates and development of dental clinic programs and procedures;
- Assists with training and orientation of new employees;
- Works with Ward Program Managers and ward staff in implementing dental care policies, exams, and patient oral care;
- Teaches oral care and ensures oral care cabinets are properly utilized;
- Supervises dental assistants and other support staff providing patient services.

The primary issue is whether or not Ms. Bravo performs supervisory duties. In reaching my conclusion, I reviewed the Department of Personnel's Glossary of Classification Terms, which defines *supervisor* as follows:

An employee assigned responsibility by management to participate in all of the following functions with respect to their subordinate employees: (1) selection of staff, (2) training and development, (3) planning and assignment of work, (4) evaluating performance, (5) adjusting grievances, and (6) taking corrective action.

I also considered the definition of *lead*, which states:

An employee who performs the same or similar duties as other employees in his/her work group and has the designated responsibility to regularly assign, instruct, and check the work of those employees.

The Department of Personnel's Glossary of Classification Terms can be referenced at <http://www.dop.wa.gov/HRProfessionals/Classification/>.

The documentation in the record provides conflicting information about whether or not Ms. Bravo supervises or leads other staff. For example, the September 12 PDF does not indicate supervisory or lead responsibilities. The September 19 and 22 PDFs indicate Ms. Bravo supervises but does not lead, though they also indicate she evaluates, corrects, assigns work, and instructs and checks the work of others, consistent with a lead position. Finally, the PRR indicates Ms. Bravo supervises two Dental Assistant 2 positions, a Dental Hygienist 2, and a Dental Assistant 1. The PRR also indicates she leads two Dentist 2 positions. During the Director's review

conference, Ms. Bravo explained that the conflicting information resulted from her uncertainty about how to complete the forms requesting reallocation. Ms. Bravo stated that as she completed each form, she tried to provide clearer information about the duties and responsibilities assigned to her position.

Also during the Director's review conference, Ms. Bravo clarified what she believed to be supervisory responsibilities. Ms. Bravo indicated that she adds input to Dr. Moulding's recommendations for hiring, assists with the evaluations of the dental assistants and hygienist, unofficially approves leave, and performs payroll for the dental clinic. Ms. Bravo also indicated that she leads the two dentist positions reporting to her supervisor, Dr. Moulding. Ms. Bravo acknowledged that she does not have signature authority to sign leave slips or evaluations. Ms. Bravo also noted that she is described as the Dental Clinic Supervisor on the organization chart (Exhibit C-9). DSHS noted that the payroll processing described by Ms. Bravo was data input into the Human Resource Management System (HRMS). DSHS also described Ms. Bravo's title on the organizational chart as a working title.

After considering all of the documents in the record and the comments during the Director's review conference, I conclude Ms. Bravo's position is more in line with a lead position than a supervisory position. I recognize Ms. Bravo may supervise the functions related to the operations of the dental clinic, such as coordinating and scheduling patients with a particular dentist or hygienist, coordinating and assigning work, handling office-related functions, or coordinating orientation and training for hospital staff. However, Ms. Bravo has not been assigned supervisory responsibilities over staff working in the dental clinic. While she may review leave slips or provide input regarding hiring or employee evaluations, the supervisory responsibility resides with Dr. Moulding.

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations.

The class series concept for the Dental Clinic Supervisor positions indicates that an incumbent "[s]upervises staff and coordinates dental clinic patient care activities and related training/teaching programs."

The definition for the Dental Clinic Supervisor 1 states:

Supervises dental assistants and other support staff providing patient services and participating in teaching activities in a clinic. Develop clinic procedures and/or assists in the development of school-wide dental clinic programs and procedures.

The distinguishing characteristics for the Dental Clinic Supervisor 1 indicate the following:

With delegated authority, interviews and recommends selection of applicants, conducts training, assigns and schedules work, acts upon leave requests, conducts annual performance evaluations and

recommends disciplinary action. Under general direction, coordinates dental clinic activities, including implementing clinic procedures, establishing work schedules, maintaining records and inventory and assisting in the development of dental clinic programs and procedures. Supervises employees who perform patient service activities and assists in teaching/training programs.

Although Ms. Bravo coordinates dental clinic patient care activities with regard to training hospital ward staff about oral care of patients, including orientation of new employees, she has not been assigned supervisory responsibility over staff in the dental clinic. Therefore, the Dental Clinic Supervisor 1 is not the best fit for her position.

The definition for the Dental Assistant 2 classification states:

Positions in this class are unlicensed, work under the close supervision (as defined in WAC 246-817-510) of a dentist, and assist dentists or dental students in the treatment of patients.

The distinguishing characteristics for the Dental Assistant 2 indicate the following:

Positions at this level work under general supervision and perform expanded dental assistant duties such as taking impressions for study models, mechanical polishing to amalgam restoration, placing matrix and wedge, and fabricating, placing, and removing temporary fillings.

While examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the level of work envisioned within a classification. I realize Ms. Bravo does not regularly perform all of the examples listed; however, the examples of work most in line with Ms. Bravo's position include the following:

- Performs expanded dental assistant duties;
- Assists in the treatment of patients;
- Instructs students in the appropriate role of dental assistants in the delivery of patient care;
- Coordinates support activities such as patient assignments, scheduling, and record maintenance in a dental clinic;
- Orders and maintains inventory of supplies, collects payments and issues receipts, and records research data;
- May instruct students in expanded dental assistant duties.

It is clear Ms. Bravo is a valued employee who provides excellent service to WSH's Dental Clinic and its patients. A position's allocation, however, is not based on an evaluation of performance or an individual's ability to perform higher-level work. Rather, it is based on the majority of work assigned to a position. On a best fit basis, the Dental Assistant 2 classification is the appropriate fit for Ms. Bravo's position #KQ57.

**Appeal Rights**

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board . . . . Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

c: Valerie Bravo  
Bob Swanson, DSHS  
Lisa Skriletz, DOP

Enclosure: List of Exhibits